

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
**13711**

In Re Application Of: **Joseph A. Rothnagel, et al.**

Serial No.  
**09/880,253**

Filing Date  
**June 13, 2001**

Examiner  
**Unassigned**

Group Art Unit  
**1645**

Title: **EXPRESSION MODULATING SEQUENCES**

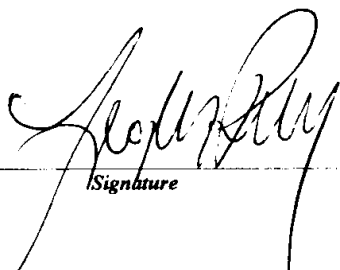
**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

**Claiming Small Entity Status and Request For Refund of Excess of Previously Submitted Fee**

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

  
Signature

Dated: **August 10, 2001**

**Leopold Presser  
Registration No. 19,827  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343**

I certify that this document and fee is being deposited on **August 10, 2001** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

**Michelle Mustafa**

Typed or Printed Name of Person Mailing Correspondence

CC:

#3/ Reg for  
Refund  
08-22-01

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants:** Joseph A. Rothnagel, et al. **Examiner:** Unassigned

**Serial No.:** 09/880,253

**Art Unit:** 1645

**Filed:** June 13, 2001

**Docket:** 13711

**For:** EXPRESSION MODULATING  
SEQUENCES

**Dated:** August 10, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Refund Section, Accounting Division  
Office of Finance

CLAIMING SMALL ENTITY STATUS AND REQUEST FOR  
REFUND OF EXCESS OF PREVIOUSLY SUBMITTED FEE

Sir:

Small Entity is entitled to be asserted with respect to  
the above patent application Serial No. 09/880,253 filed on June  
13, 2001.

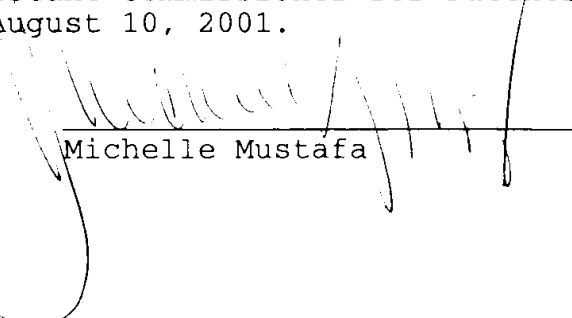
In view of the above, Applicants request a refund of  
the excess of the filing fees paid on June 13, 2001 in the

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CERTIFICATE OF MAILING UNDER C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in an  
envelope addressed to: Assistant Commissioner for Patents,  
Washington, D.C. 20231 on August 10, 2001.

Dated: August 10, 2001

  
Michelle Mustafa

above-identified case. The refund requested is the excess or difference between:

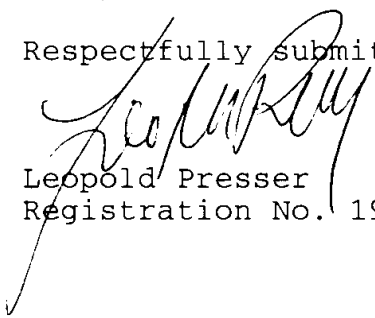
the fee paid \$4,054.00

less the amount due for a small entity \$2,027.00

excess = \$2,027.00

Applicants, therefore, request a refund of \$2,027.00 to be credited to Deposit Account No. 19-1013/SSMP.

Respectfully submitted,

  
Leopold Presser  
Registration No. 19,827

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LP/XZ:ab